

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	:	<b>CASE NO. 2:22-mj-731</b>
	:	
<b>Plaintiff,</b>	:	<b>MAGISTRATE JUDGE DEAVERS</b>
	:	
<b>v.</b>	:	
	:	<b><u>JOINT MOTION FOR EXTENSION OF</u></b>
<b>JUSTIN R. FOLEY</b>	:	<b><u>TIME DURING WHICH</u></b>
	:	<b><u>INDICTMENT/INFORMATION MUST</u></b>
	:	<b><u>BE FILED</u></b>
<b>Defendant.</b>	:	

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Now comes United States of America, by and through the undersigned attorneys, along with counsel for Defendant Justin Foley and respectfully move this Court for an order extending the time for the return of an Indictment or Information pursuant to 18 U.S.C. § 3161(b) from January 20, 2023 to April 3, 2023. Mr. Foley is aware of his right to the timely filing of an Indictment or Information, afforded to him under 18 U.S.C. § 3161(b), and hereby waives that right for the purposes of this motion. Defense counsel has communicated with his client and certifies that this waiver is knowingly and voluntarily made. The Parties believe this continuance would best serve the interests of justice and that the time would be excludable pursuant to 18 U.S.C. § 3161(h)(7)(A).

The Parties are continuing to explore the possibility of a pre-indictment resolution, but will require additional time, especially in light of the nature of the evidence in this case, for those discussions, ongoing pre-indictment discovery review and additional meetings with Defendant. As always, the Parties have exercised and will continue to exercise due diligence in reaching a prompt resolution of this matter.

For these reasons stated herein, the United States and Defendant's counsel request an extension of the time within which an Indictment or Information may be filed in this case until April 3, 2023. Soumyajit Dutta, attorney for Justin Foley has indicated that he agrees to the requested extension of the time.

Respectfully submitted,

KENNETH L. PARKER  
United States Attorney

s/Jennifer M. Rausch  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Unopposed Motion for Extension of Time During Which Indictment/Information Must be Filed was served the 19th day of December, 2022, electronically on all parties of record.

s/Jennifer M. Rausch  
JENNIFER M. RAUSCH (0075138)  
Assistant United States Attorney